# SENATE BILL No. 221

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-21-2-2.5.

**Synopsis:** Rules for birthing centers and abortion clinics. Requires the state department of health to establish physical plant specifications for birthing centers and abortion clinics and requires the state department to notify the administrative rules oversight committee if the state department cannot establish the physical plant specifications for abortion clinics before April 1, 2008. Requires abortion clinics to meet the state department of health physical plant specifications before July 1, 2011.

**Effective:** Upon passage.

# Kruse

January 8, 2007, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.
  Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in  **this  style  type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.
  Conflict reconciliation: Text in a statute in *this style type* or *~~this style type~~* reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

# SENATE BILL No. 221

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1   SECTION 1. IC 16-21-2-2.5, AS ADDED BY P.L.96-2005,
2   SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3   UPON PASSAGE]: Sec. 2.5. (a) The state department shall adopt rules
4   under IC 4-22-2 to do the following concerning birthing centers and
5   abortion clinics:
6       (1) Establish minimum license qualifications.
7       (2) Establish the following requirements **for the issuance,**
8       **renewal, denial, and revocation of a license under this**
9       **chapter:**
10          (A) Sanitation standards.
11          (B) Staff qualifications.
12          (C) Necessary emergency equipment.
13          (D) Procedures to provide emergency care.
14          (E) Quality assurance standards.
15          (F) Infection control.
16          **(G) Physical plant specifications.**
17       (3) Prescribe the operating policies, supervision, and maintenance

1    of medical records.

2    (4) Establish procedures for the issuance, renewal, denial, and

3    revocation of licenses under this chapter. The rules adopted under

4    this subsection must address the following:

5     (A) The form and content of the license.

6     (B) The collection of an annual license fee.

7    (5) Prescribe the procedures and standards for inspections.

8   (b) A person who knowingly or intentionally:

9    (1) operates a birthing center or an abortion clinic that is not

10    licensed under this chapter; or

11    (2) advertises the operation of a birthing center or an abortion

12    clinic that is not licensed under this chapter;

13 commits a Class A misdemeanor.

14   SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) As used in this**

15 **SECTION, "state department" refers to the state department of**

16 **health established by IC 16-19-1-1.**

17 **(b) Before April 1, 2008, the state department shall establish**

18 **physical plant specifications for abortion clinics as required by**

19 **IC 16-21-2-2.5, as amended by this act.**

20 **(c) If the state department does not adopt physical plant**

21 **specifications before April 1, 2008, the state department shall**

22 **provide written notification to the administrative rules oversight**

23 **committee in the same manner as required in IC 4-22-2-19.**

24 **(d) Before July 1, 2011, an abortion clinic shall meet the**

25 **physical plant specifications established by the state department**

26 **under IC 16-21-2-2.5, as amended by this act.**

27 **(e) This SECTION expires December 31, 2011.**

28 SECTION 3. **An emergency is declared for this act.**